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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

IN RE: FACEBOOK, INC. CONSUMER
PRIVACY USER PROFILE LITIGATION

This document relates to:

ALL ACTIONS

MDL No. 2843
Case No. 18-md-02843-VC

**DECLARATION OF LESLEY E. WEAVER
IN SUPPORT OF PLAINTIFFS'
OPPOSITION TO MOTION OF
DEFENDANT FACEBOOK, INC. TO
DISMISS PLAINTIFFS' FIRST AMENDED
CONSOLIDATED COMPLAINT**

Judge: Hon. Vince Chhabria
Courtroom: 4, 17th Floor
Hearing Date: May 29, 2019
Hearing Time: 10:30 A.M.

I, Lesley E. Weaver, declare and state as follows:

1. I am an attorney licensed in the State of California and admitted to the United States District Court for the Northern District of California. I am a partner in the Oakland office of Bleichmar Fonti & Auld LLP ("BFA"), Co-Lead Counsel for Plaintiffs in the above-captioned matter. I am a member in good standing of the bar of the State of California and of this Court. I submit this declaration in support of Plaintiffs' Opposition to Facebook, Inc.'s Motion to Dismiss Plaintiffs' First Amended Consolidated Complaint.

2. Attached hereto as Exhibit 1 is a true and correct copy of a letter Plaintiffs sent to Facebook on October 16, 2018, wherein Plaintiffs sought documents and information related to Facebook's relationships with third-party Business Partners. Plaintiffs again raised their request to Facebook on a meet and confer telephone call on November 2, 2018.

3. Attached hereto as Exhibit 2 is a true and correct copy of a letter Plaintiffs sent to Facebook on November 8, 2018, summarizing the substance of that telephone call wherein Facebook denied Plaintiffs' request for discovery related to these Business Partners. Facebook has yet to produce any documents or information related to these partnerships. Documents and information related to these Business Partners are a substantial part of this case. *See e.g.*, ECF No. 257 at ¶¶ 483-93.

4. Attached hereto as Exhibit 3 is a redacted version of the Initial Assessment Report created by PricewaterhouseCoopers LLP ("PwC") relating to Facebook's handling of users' content and information for the period of August 15, 2012 to February 11, 2013. Pursuant to the terms of the 2012 Consent Decree imposed by the Federal Trade Commission, Facebook engaged PwC to prepare an initial and biannual assessments and reports ("Assessments") to evaluate the adequacy of Facebook's privacy controls. Copies of heavily redacted Assessments, like Exhibit 3, are available in the public domain.

5. Following requests from Plaintiffs, Facebook produced limited unredacted portions of the "Third Party Developers" section of the PwC Assessments for 2015 (covering the report period February 12, 2013 to February 11, 2015) and 2017 (covering the report period February 12, 2015 to February 11, 2017). The redacted versions of these Assessments and the limited unredacted portions that Facebook has produced to Plaintiffs provide little additional information. For example, the 2013 Initial Assessment "identified a problem with how Facebook was monitoring certain Business Partners." ECF No. 257 at ¶ 550. Yet Exhibit 3, the redacted version of this Assessment, does not disclose this problem. *See Exhibit 3 at 66-70.*

6. The documents produced by Facebook provide no further substantive information. Without the unredacted Assessments, Plaintiffs cannot evaluate PwC's review of Facebook's conduct related to controlling access to Plaintiffs' content and information following the 2012 Consent Decree.

I declare under penalty of perjury under the laws of the United States and the State of California that the foregoing is true and correct and to the best of my knowledge. This declaration was executed in Oakland, California.

DATED: April 12, 2019

/s/ *Lesley E. Weaver*

Lesley E. Weaver

Pursuant to Civil L. R. 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from each of the other signatories above.

Date: April 12, 2019

/s/ *Lesley E. Weaver*

Lesley E. Weaver